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FLOOR DEBATE

January 16, 2004 LB 382

provided to persons, firms, or corporations who own and operate assembling plants, workshops, or mechanical establishments which operate three 8-hour shifts during a 24-hour period. LB 382 essentially removes the current exemption detailed in 48-212, as well as the requirement that the 30 minutes be completed between 12:00 noon and 1:00 p.m. LB 382 would require that an employee be provided 30 minutes for lunch in each 8-hour shift. This bill was being introduced after made aware of this stipulation in statute and certain manufacturers in Nebraska taking advantage of the three shift exemption currently in place. Essentially, members, this bill, LB 382, attempts to end, if you will, the discrimination we have in our current statutes to nontraditional employees that work nontraditional hours. I have an amendment also filed that kind of reconciles it with other states that have this type of statutes pertaining to lunch hour provisions for employees in their individual states. We're 1 of about, I think, 14 or 15 states, and that document should be passed around, that elects to have entered into their statutes provisions regarding lunch hours. We already do that. And this bill simply attempts to rectify the discrimination against nontraditional workers in our state. Thank you.

SENATOR CUDABACK: Thank you, Senator Synowiecki. There is an amendment, Mr. Clerk.

CLERK: Mr. President, Senator Synowiecki would move to amend his bill with AM2242. (Legislative Journal pages 312-313.)

SENATOR CUDABACK: You're recognized to open on the amendment, Senator Synowiecki.

SENATOR SYNOWIECKI: Thank you, Senator Cudaback. AM2242 simply indicates that "This section does not apply to employment that is covered by a valid collective bargaining agreement or other written agreement between an employer and employee." Again, this language is in...I don't have that with me right now, but in every state that has provisions over lunch hours in their statutes, something is mentioned with regard to bargaining agreements and as it pertains to the lunch hour provisions. And I'd appreciate your support on the adoption of the amendment. Thank you.